

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

VirnetX Inc.,	§	
	§	
Plaintiff,	§	
	§	Civil Action No. 6:10-cv-00417-LED
vs.	§	
	§	
Cisco Systems, Inc.,	§	
Apple Inc.,	§	
Aastra USA, Inc.,	§	
Aastra Technologies Ltd.,	§	
NEC Corporation, and	§	
NEC Corporation of America,	§	
	§	
Defendants.	§	

**ORDER OF DISMISSAL**

The Court is of the opinion that the Stipulated Dismissal agreed to by Plaintiff VirnetX Inc. (“VirnetX”) and Defendants NEC Corporation and NEC Corporation of America (collectively “NEC”) should be GRANTED.

IT IS THEREFORE ORDERED that infringement claims asserted by VirnetX against NEC with respect to NEC’s IP-encrypted phone servers and IP-encrypted telephones sold in combination with such IP-encrypted phone servers are DISMISSED WITH PREJUDICE and all other claims, defenses, and counterclaims made by NEC against VirnetX in the above-entitled cause are hereby DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that all costs and expenses relating to this litigation (including, but not limited to, attorneys’ fees and expert fees and expenses) shall be borne solely by the party incurring the same.

**So ORDERED and SIGNED this 20th day of September, 2012.**

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS  
UNITED STATES DISTRICT JUDGE**